

7536. Adulteration of whole wheat flour. U. S. v. 39 Bags of Flour. Default decree of condemnation. Product ordered sold. (F. D. C. No. 13183. Sample No. 80727-F.)

LIBEL FILED: August 7, 1944, Western District of Tennessee.

ALLEGED SHIPMENT: On or about November 24, 1943, from Louisville, Ky.

PRODUCT: 39 bags, each containing 100 pounds, of wheat flour at Memphis, Tenn., in the possession of the Kroger Grocery and Baking Co. (Warehouse).

This product was stored, after shipment, under insanitary conditions. The bags were rodent-gnawed and contained rodent pellets and urine stains. Examination showed that the product contained rodent excreta, rodent hairs, larvae, and insect fragments.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 8, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold, conditioned that it be denatured so that it could not be used for human consumption.

MISCELLANEOUS CEREAL PRODUCTS

7537. Adulteration of pearled barley. U. S. v. 719 Bags of Pearled Barley. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 13745. Sample No. 80498-F.)

LIBEL FILED: September 26, 1944, Eastern District of Illinois.

ALLEGED SHIPMENT: On or about July 15, 1944, by the St. Louis Rice Milling Co., St. Louis, Mo.

PRODUCT: 719 100-pound bags of pearled barley at Belleville, Ill.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of weevils, larvae, and insect fragments.

DISPOSITION: October 9, 1944. The Star Peerless Brewery Co., Belleville, Ill., having appeared as claimant and having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reprocessed and made into animal feed, under the supervision of the Food and Drug Administration.

7538. Adulteration of barley flakes. U. S. v. 128 Bags, 406 Bags, and 251 Bags of Barley Flakes. Decree of condemnation. Product ordered released under bond. (F. D. C. Nos. 14050, 14082. Sample Nos. 88486-F, 88489-F, 88492-F.)

LIBELS FILED: October 16 and 23, 1944, District of Massachusetts.

ALLEGED SHIPMENT: Between on or about February 9 and June 3, 1944, by the Brooks Elevator Corporation, from Minneapolis, Minn.

PRODUCT: 785 100-pound bags of barley flakes at Boston, Mass.

LABEL, IN PART: (Tags) "Belco Barley Flakes."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of weevils, insects, and larvae.

DISPOSITION: November 9, 1944. The actions having been consolidated, and the Boston Beer Co., Boston, Mass., claimant, having admitted the allegations of the libels, judgment of condemnation was entered and the product was ordered released under bond to be denatured, under the supervision of the Food and Drug Administration, and used as animal feed.

7539. Adulteration of brewers' grits. U. S. v. 5,000 Bushels of Brewers' Corn Grits. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14656. Sample No. 92843-F.)

LIBEL FILED: December 15, 1944, District of Columbia.

PRODUCT: 5,000 bushels of brewers' grits at Washington, D. C., in the possession of the Chr. Heinrich Brewing Co.

This product had been stored, after shipment, under insanitary conditions. Examination showed that the product contained beetles, larvae, insect webbing and excreta, and rodent excreta. The presence of rodents, insects, and birds contributed to the insanitary conditions whereby foods stored might become contaminated with filth.